



Alaska Children's
Justice Act Task Force

March 22, 2013

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Visit our website at:
<http://hss.state.ak.us/ocs/ChildrensJustice/>

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The Honorable Governor Sean Parnell
PO Box 110630
Juneau, Alaska 99801-0630

Re: CSSB 22 (JUD)

Dear Governor Parnell,

The Alaska Children's Justice Act Task Force respectfully submits this letter of support for the passage of CSSB 22 (JUD), the current version of the Governor's Crime Bill.

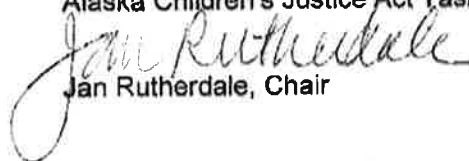
The genesis of the Alaska Children's Justice Act Task Force (CJA) is the Child Abuse Prevention and Treatment Act (42 U.S.C. 5101) and the Victims of Crime Act (42 U.S.C. 10601). The CJA was founded in 2002 and is federally mandated and funded. The 20 members of the task force are from across the State of Alaska and include representatives from the fields of medicine, law, child protection, juvenile justice, tribes, and education. Our mission is to: *Identify areas where improvement is needed in the statewide response to child maltreatment, particularly child sexual abuse, make recommendations, and take actions to improve the system.*

Many of the sections contained within CSSB 22 (JUD) are consistent with the mission of CJA, that is, they will improve the system response to child maltreatment and protect Alaska's children. We particularly support the sections regarding sentencing, unlawful contact between perpetrators and victims, and changes to the mandatory reporter statutes and Evidence Rule 404. Attached to this letter is an outline of the specific sections of CSSB 22 (JUD) the CJA supports, with an explanation of why the CJA believes the section will protect children. While we do not address all sections of the governor's bill, please understand this is not because we oppose or don't support those sections but because they are outside our charge.

Thank-you very much for your consideration. If we can be of assistance or a resource for you please feel free to contact us.

Sincerely,

Alaska Children's Justice Act Task Force


Jan Rutherford, Chair

Our Mission: *Identify areas where improvement is needed in the statewide response to child maltreatment, particularly child sexual abuse, make recommendations, and take actions to improve the system.*



Alaska Children's
Justice Act Task Force

Sectional support of CSSB 22 (JUD)
Attachment to letter of March 22, 2013

Sections 1 and 21-22: These sections clarify the legislature's intent with regard to referrals to three judge panels for sentencing for sexual felonies. These sections hold offenders accountable and prevent further abuse by that offender. We hope these sentences will assure victim safety and deter potential offenders.

Section 9: This section provides that incarcerated persons who have not been to trial or sentenced who contact their victim may be charged with the present crime of unlawful contact. Often in sexual abuse cases the perpetrator will contact the victim from the jail. While threats can be prosecuted under present law, these contacts are not direct threats and may seem benign or even appropriate. For example, the contact might be a card or letter from the perpetrator to the child victim expressing "how much daddy loves you", or "how much daddy can't wait to see you again". These contacts can be quite upsetting, frightening, confusing, and/or intimidating to a child victim.

Section 20 and 31-34: Section 20 provides that persons who are convicted of multiple counts of distribution or possession of child pornography must have some part of the sentence for each count be consecutive to other counts. Sections 31-34 assist law enforcement and the Attorney General to more effectively investigate child pornography. Children whose images are contained on child abuse images are victims for life as the abuse images forever circulate within the virtual universe of the internet. These sections expand the tools law enforcement has available to investigate and intervene in the continuing possession and distribution of the images. Additionally, requiring some consecutive sentencing for possession and distribution of child abuse images, in some small part, reflects the severity of the continuing, perpetual harm to the victims.

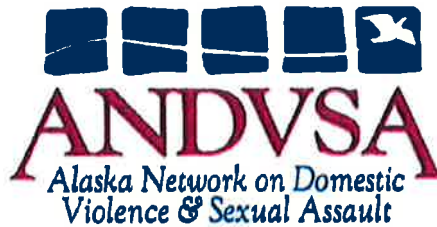
Section 35: This section provides, in the context of Title 47 child protection cases, more protection for children whose parent has sexually abused a child or required to register as a sex offender.

Sections 36-38: These sections modify the mandatory reporter statute to include athletic coaches. The CJA strongly supports this added protection to children.

Section 42: This section amends Evidence Rule 404 to eliminate the look-back requirement for prior bad acts of sexual abuse. At present prosecutors may only seek to introduce prior acts of sexual abuse which have occurred within 10 years of the prior offense. This would permit the court and jury to consider older offenses.

Our Mission: Identify areas where improvement is needed in the statewide response to child maltreatment, particularly child sexual abuse, make recommendations, and take actions to improve the system.

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March 22, 2013

Honorable Sean Parnell
State Capitol – 3rd Floor
Juneau, AK 99811

Dear Governor Parnell:

On behalf of our eighteen member programs that provide direct services to victims of sexual assault and domestic violence in communities throughout Alaska, we are writing in support of CSSB 22 (JUD) – Crimes; Victims; Child Abuse and Neglect.

Several substantive changes in the bill will help improve victim safety. In particular, the provision closing a gap in the unlawful contact statute – this will cease what has become a common pattern in domestic violence cases whereby abusers who are awaiting release from detention repeatedly contact and harass victims and other witnesses. In addition, we strongly support the provision prohibiting sexual penetration and sexual contact by probation-, parole-, and juvenile probation officers and facility staff with those over whom they have direct supervision. Finally, we strongly support removing the civil statute of limitations from the crimes of sex trafficking and human trafficking. There should be no time limit placed on a victim's right to seek justice from those who profit from trafficking Alaska women, men and children.

We also support moving the GPS monitoring provisions into the criminal statutes and look forward to working with the Department of Public Safety and the Department of Corrections in developing guidelines to insure victim safety and insure victim consent is obtained prior to any judge ordering GPS monitoring which, by its nature, requires victims to disclose the safe locations of themselves and their children.

The majority of the remaining provisions in the bill are criminal law and procedure changes that we believe will provide our allied partners in law enforcement and prosecution with the tools they need to insure that perpetrators of these crimes are held accountable and victims obtain the justice they deserve. In particular, we support removing the statute of limitations for prosecuting the crimes of sex trafficking, human trafficking and distribution of child pornography, requiring an abuser to appear before a judicial officer prior to being released after a violation of a condition of release and expanding the rape shield provisions.

Thank you for bringing forth SB 22.

Sincerely,

Peggy Brown, Executive Director
cc: Lisa Mariotti, Policy Director

Member Programs

Anchorage AWAIC, STAR Barrow AWIC Bethel TWC Cordova CFRC Dillingham SAFE
Fairbanks IAC Homer SPHH Juneau AWARE Kenai LeeShore Center Ketchikan WISH Kodiak KWRCC
Kotzebue MFCC Nome BSWG Seward SCS Sitka SAFV Unalaska USAFV Valdez AVV



Crisis Center • Community Services Center • Transitional Living

Senators Meyer and Kelly, Co-Chairs of the Senate Finance Committee
Alaska State Capital
Juneau, Alaska 99801

March 21, 2013

Dear Senator Meyer and Senator Kelly,

Over the last several years, Covenant House Alaska (CHA) has seen distressing trends in the deliberate and devastating trafficking of our youth. CHA served nearly 6,000 individual youth throughout four main programs (emergency shelter, workforce development and street outreach and two transitional living programs). Our staff reported seeing at least one case of human (primarily sex) trafficking per month, although the crime is often hidden and underreported among our kids. CHA estimates that the rate of trafficking activities our kids endure is actually much higher.

As a result, CHA strongly supports SB 22 and the anti-trafficking provisions within the bill. During the 2012 Legislative Session, The Alaska State Legislature passed a bill aimed at holding traffickers accountable and ensured the victim status of individuals caught in this horrific crime. SB 22 now holds the demand side of trafficking accountable. Often overlooked, the "johns" who purchase sex are a critical aspect of why the crime flourishes. "Johns" are not only breaking the law, they are empowering and supporting the practice of modern-day sex slavery whose victims are often the most vulnerable among us.

Traffickers specifically target the population CHA aims to protect: impoverished youth who have histories of sexual and physical abuse and extremely limited family and financial resources. They target those they can easily trap; youth who are coming out of the foster care system, are homeless or otherwise alone and if missing, will go "undetected" by their community. Youth are then re-traumatized after surviving childhood marked by abuse. It is for these reasons, that the crime of the "Johns" is particularly severe.

SB 22 contains additional valuable changes to state law. It removes the statute of limitations for sex trafficking. It also protects child victims of sexual abuse from endless reunification efforts when the abuser is their parent and instead encourages finding a safe, permanent placement. SB 22 also clarifies the intent of past legislation penalizing sexual abuse and assault to ensure offenders serve the time set out in sentencing guidelines.

As a provider of services in our community, CHA is the "boots on the ground" for homeless kids. It is with this perspective and expertise that we offer our support of SB 22. Thank you for your consideration.

Sincerely,


Alison Kear

Alaska Women's Lobby

P.O. Box 20891, Juneau, AK 99802-0891
AWL@akwomenslobby.org ~ www.akwomenslobby.org

Letter of Support HB 73 CRIMES; VICTIMS; CHILD ABUSE AND NEGLECT February 2013

The Alaska Women's Lobby is a statewide grassroots organization dedicated to advancing the right of women, children and families. The Women's Lobby appreciates the Governor's work to strengthen laws that protect domestic violence and sexual assault victims and hold offenders of these crimes accountable for their actions.

We specifically support adding to the crime of sexual assault in the third degree the egregious action of a probation or parole officer engaging in sexual penetration with a person who is on probation or parole. A probation or parole officer has authority both real and implied over a person on probation or parole and as such cannot have a consensual sexual encounter with a probationer or parolee.

Probation and parole officers must exhibit professionalism whether on or off duty. When acting in an official capacity, they must not compromise the trust of the public. The Federal Probation Officers Association, the American Probation and Parole Association and Alaska's own Code of Ethics all include recognition of the office as a symbol of public faith and requires the officer to accept it as a public trust. They also ask the officer to conduct his/her personal life with decorum, neither accepting nor granting favors in connection with the office and requires officers to put loyalty to moral principles above personal consideration. Alaska's code further requires officers to not engage in undue familiarity with probationers or parolees. It is clear that people who choose to enter the probation/parole profession do so knowing they are called to keep a strict code of proper conduct and are held to high standards.

Whether or not the probationer or parolee is under the specific supervision of an officer, they know that any officer has the authority to report misconduct/violations of their probation or parole conditions and can revoke probation or parole. It seems obvious that a person would believe he or she had to comply with a request of a sexual nature or suffer more consequences.

Adding probation or parole officers engaging in sexual penetration with a person who is on probation or parole to the crime of sexual assault in the third degree sends a strong message to everyone; Alaskans expect those we entrust with upholding the law and assisting offenders to successfully re-enter our communities to be true to their professional code of ethics, to be role-models and to conduct themselves accordingly.

AWL Statewide Steering Committee

Defending and advancing the rights and needs of women, children, and families in Alaska.

Statewide Steering Committee: Jayne Andreen, Elizabeth Belknap, Nancy Courtney,
LaRae Jones, Jordan Nigro, Taber Rehbaum, Karl Robinson, Shannen Vargas
Lobbyist: Caren Robinson



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February 12, 2013

The Honorable Sean Parnell
Governor, State of Alaska
State Capitol Building
PO Box 110001
Juneau, AK 99811-0001

Dear Governor Parnell:

On behalf of the Alaska Peace Officers Association (APOA), I would like to thank you for your dedication to the interests of our State. We are grateful for your efforts to further companion bills HB 73 and SB 22.

The APOA Executive Board's Legislative Committee reviewed this proposed legislation and decided to unanimously support these bills in their entirety.

Please contact the APOA office in Anchorage at 277-0515 if there is anything our organization can do to help with the passage of this bill.

Sincerely,

John Lucking, Jr.
State President

PO Box 240106
Anchorage AK 99524

t 907 277 0515
f 907 272 5355

Making A Difference In The Last Frontier





Alaska Association of Chiefs of Police

February 2, 2013

The Honorable Sean Parnell
Governor, State of Alaska
State Capitol Building
PO Box 110001
Juneau, AK 99811-0001

Dear Governor Parnell:

In my capacity as President of the Alaska Association of Chiefs of Police, I am writing to express our unequivocal support of your Omnibus Crime Bill, introduced as House Bill 73 and Senate Bill 22. Our Association is comprised of more than 100 law enforcement executives from all across Alaska, and we feel this year's Crime Bill will provide us with important tools in the battle to seek justice for victims of sexual assault, domestic violence and human trafficking.

You should be proud of a well crafted piece of legislation which, if passed, shall do much to protect vulnerable individuals in our state and to hold accountable those who prey upon them. Thank you for your strong commitment to the public's safety.

We would be pleased to work with your staff to insure that HB 73 and SB 22 are passed, and encourage you to contact our Executive Director, Kalie Klaymat, at 907-394-5426 or by email at kalie.klaymat@aacop.org should there be some way we can be of assistance in that regard. Again, thank you for your dedication and service to the people of the State of Alaska.

Respectfully,

Chief Tom Clemons, President